Exhibit A

	1 2	IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION				
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	4	MEANITH HUON,) Docket No. 11 C 3054				
	5	Plaintiff, {				
	6	vs.				
	7	BREAKING MEDIA, et al., Chicago, Illinois January 10, 2013				
	8	Defendants.) January 10, 2013) 9:00 o'clock a.m.				
	9	TRANSCRIPT OF PROCEEDINGS - STATUS				
	10	BEFORE THE HONORABLE JOHN J. THARP, JR.				
	11	APPEARANCES:				
	12	For the Plaintiff: HUON LAW FIRM				
	13	BY: MR. MEANITH HUON P.O. Box 441				
	14	Chicago, IL 60690 (312) 405-2789				
	15					
	16	For the Defendants MANDELL MENKES LLC				
09:08:27 09:08:30	17	Breaking Media, Inc., BY: MR. STEVEN P. MANDELL David Lat, Elie One North Franklin, Suite 3600				
09:08:32 09:08:34	18	Mystal, John Lerner, Chicago, IL 60606 And David Minkin: (312) 251-1000				
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	22	Court Reporter: MS. CAROLYN R. COX, CSR, RPR, CRR, FCRR				
	23	Official Court Reporter 219 S. Dearborn Street, Suite 1420				
	24	Chicago, Illinois 60604 (312) 435-5639				
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1 2 3 4	For Defendants Gawker Media, Jezebel.com, Elizabeth Denton, Irin Carmon, and Gabby Darbyshire:	LYNCH & STERN LLP BY: MS. AMANDA SZUCH MLINARCIK 150 South Wacker Drive Suite 2600 Chicago, IL 60606 (312) 346-1600
5		AND
6		CTCKAN COLOTADTOEE ANDEDCON 9 CTC ADT
7		GISKAN, SOLOTARTOFF ANDERSON & STEWART BY: MR. DAVID L. FEIGE
8		11 Broadway, Suite 2150 New York, NY 10004 (212) 847-8315
9		(212) 047-0313
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09:22:10	1	(The following proceedings were had in open court:)		
09:22:10	2	THE CLERK: 11 C 3054, Huon v. Breaking Media.		
09:07:53	3	MR. HUON: Good morning, your Honor. Meanith,		
09:07:57	4	M-e-a-n-i-t-h, Huon, H-u-o-n, for the plaintiff.		
09:07:58	5	THE COURT: Good morning.		
09:08:09	6	Counsel in court, could you enter your appearances,		
09:08:12	7	please.		
09:08:12	8	MS. MLINARCIK: Amanda Mlinarcik on behalf of Gawker		
09:08:17	9	Media, Jezebel.com, Nick Denton, Irin Carmon, and Gabby		
09:08:21	10	Darbyshire, local counsel.		
09:08:22	11	MR. MANDELL: Good morning, your Honor. Steve		
09:08:25	12	Mandell on behalf of Breaking Media, Inc., David Lat, Elie		
09:08:32	13	Mystal, John Lerner, and David Minkin.		
09:08:35	14	MR. FEIGE: And by telephone, Judge, David Feige on		
09:08:41	15	behalf of Gawker Media, Gawker Media, Inc., Entertainment		
09:08:42	16	Technologies, Elizabeth Denton, Irin Carmon, and Gabby		
09:08:46	17	Darbyshire.		
09:08:46	18	THE COURT: Okay. And, Mr. Huon, you already		
09:08:49	19	MR. HUON: I have seen their motion, Judge. There is		
09:08:50	20	a couple, two items, housekeeping items. One is attached to		
09:08:55	21	their motion to dismiss is a truncated trial transcript and		
09:08:59	22	it's part of their exhibit. I had brought a prior motion		
09:09:02	23	before a magistrate judge to redact the name of the		
09:09:05	24	complaining witness and their home town. That motion was		
09:09:08	25	granted. As part of that motion, I also asked for them to		

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produce the entire transcript. The reason being -- and they have the entire trial transcript. The reason being is if they are going to assert the reporter privilege, the reporter privilege only applies -- it doesn't apply if they don't fully disclose everything that took place in the original proceedings. The other thing is most of these articles were about the consent defense. The consent defense never went to the jury. That's in the trial transcript.

The magistrate judge at the time recommended that I issue discovery to get that. Now, since you have denied my motion to conduct limited discovery and since I can't get the parties to do a 26(f) conference, I have an issue with discovery. I need that trial transcript in order to respond to the motion to dismiss. That's one of the first issues.

THE COURT: All right. We will get to that in just a second.

With respect to the motion -- let me -- just preliminarily, where do we stand on service?

MR. HUON: That's the second issue. You had ordered the defendants to answer -- to disclose under 7.1 or what their affiliates are which is the reason we are back here because I had to identify the issues of citizenship. Breaking Media, I acknowledge when they were served or in the suit, they appeared correctly as Breaking Media, L.L.C. Now they appear as Breaking Media, Inc.

09:10:30	1	Gawker has waived service as Gawker Media, and they
09:10:33	2	have appeared as Gawker Media. It's very difficult we know
09:10:36	3	that there are several Gawker entities. There's Gawker Media,
09:10:40	4	Inc., Gawker Technologies, Gawker, L.L.C. It's very difficult
09:10:44	5	to tell who they are responding for and they have not answered
09:10:46	6	the 7.1 disclosure. Breaking Media has.
09:10:52	7	THE COURT: Hold on. Hold on.
09:10:53	8	MR. FEIGE: Sure. Sorry, Judge.
09:10:55	9	MR. HUON: I think that they should be ordered to
09:10:58	10	state who they're responding for because that would allow me
09:11:01	11	to move forward as to whether I am going to default the ones
09:11:04	12	who I think that they have already appeared for by appearing
09:11:07	13	as Gawker, and that would also allow me to identify who I need
09:11:10	14	to serve. I have sent waiver of service of summons to Gawker.
09:11:14	15	But by appearing as Gawker Media, it's difficult to tell who
09:11:18	16	they're here for.
09:11:19	17	THE COURT: All right. Mr. Feige.
09:11:22	18	MR. FEIGE: Yes, if I could just respond. The 7.1
09:11:26	19	disclosures, I'm sorry, that should be filed within the hour.
09:11:29	20	They're done and should be being filed now. I can just answer
09:11:33	21	those fairly simply.
09:11:35	22	Gawker Media Group, Inc., owns Gawker Media, L.L.C.,
09:11:41	23	which has one member, that being Gawker Media Group, Inc.
09:11:45	24	Gawker Media, L.L.C., is the sole member of Gawker

Entertainment, L.L.C., Gawker Sales, L.L.C., and Gawker

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09:11:53	1	Technology, L.L.C. I am appearing for all of them and, of		
09:11:57	2	course, the individual defendants.		
09:11:59	3	THE COURT: All right.		
09:12:00	4	MR. FEIGE: I think that's sufficiently clear. I		
09:12:05	5	know there's a lot of Gawkers in there.		
09:12:07	6	THE COURT: I think it is. Mr. Huon.		
09:12:09	7	MR. HUON: I didn't have time to catch all of that,		
09:12:11	8	Judge. If he could put it in a letter and send it to us.		
09:12:15	9	Last time the magistrate judge ordered him to put something in		
09:12:17	10	a letter.		
09:12:17	11	THE COURT: Will your disclosure that's going to be		
09:12:22	12	filed		
09:12:23	13	MR. FEIGE: It will contain all of that, yes, and it		
09:12:24	14	should be there within the hour.		
09:12:25	15	THE COURT: You will get the disclosure. If you have		
09:12:27	16	any further questions, it doesn't sound like there's any issue		
09:12:31	17	there that we should have a problem cooperating identifying		
09:12:36	18	exactly who is represented.		
09:12:37	19	MR. FEIGE: No, I don't expect so.		
09:12:39	20	THE COURT: All right. Now, with respect to the		
09:12:43	21	trial transcript, do either of the defendants have or groups		
09:12:47	22	of defendants have a response?		
09:12:50	23	MR. MANDELL: I don't frankly recall what counsel is		
09:12:55	24	talking about that happened in front of the magistrate.		

Obviously, he was the defendant in the proceeding. We have

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09:12:58

1 spent money to obtain the transcript. You know, I am not 2 opposed to sharing the transcript with him. It would be nice 3 if he shared the cost of the transcript. 4 THE COURT: Is there any reason, Mr. Huon, you can't 5 obtain the transcript yourself?

MR. HUON: Well, when I called the court reporter, the entire trial transcript is \$5,000. The other thing is, you know, I am pro se. They're relying on this, so as officers of the court, they have a duty to disclose the whole facts. They can't just disclose selective things.

THE COURT: Sure, they can. If you think that they have not provided something they are required to provide, you have to raise that point, but they certainly are entitled to support their motion to dismiss with whatever it is that they think is relevant. If you think there's some other portion of a trial transcript that is relevant, the fact that they have introduced it might give you an opening to include that in your response, but it's not their responsibility to do that for you.

MR. HUON: I could propose talking to counsel to find out what his costs are. In the worst case scenario, he can perhaps produce one page where the Court makes it clear that the consent defense never went to the jury, and that one page might be a dollar for the copy.

THE COURT: Why don't you all have a discussion about

09:13:04 09:13:10 09:13:13 09:13:17 09:13:20 6 09:13:21 7 09:13:24 09:13:28 09:13:35 9 10 09:13:37 11 09:13:40 12 09:13:44 13 09:13:47 14 09:13:50 15 09:13:53 16 09:13:58 17 09:14:02 18 09:14:04 19 09:14:07 20 09:14:09 21

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1 09:14:27 2 09:14:31 3 09:14:35 4 09:14:38 5 09:14:45 6 any right to pay for your lawsuit here. 09:14:48 MR. HUON: I understand. 7 09:14:50 8 09:14:51 motions, what do you need to respond? 9 09:14:54 10 09:14:56 11 09:15:00 12 09:15:07 13 09:15:08 14 09:15:11 15 09:15:13 16 09:15:16 plaintiff. 60 days to respond. 17 09:15:17 18 THE CLERK: March 12th. 09:15:20 19 MR. HUON: 09:15:23 20 09:15:26 21 09:15:30 22 from a week from now? 09:15:35 23 09:15:35 24 09:15:38 25 09:15:42

that because I am not clear exactly what you're talking about. See if you can work it out. I will tell you what I tell all counsel. I expect counsel to cooperate and be reasonable so we can get things done efficiently, and efficiency includes economically, but having said that, the defendants don't have

THE COURT: Now, with respect to the briefing on the

MR. HUON: Since they had 53 days to put it together, Judge, I am just asking for 60. I got War and Peace and Anna Karenina to respond to here. They are massive briefs. asking for 60 days. I don't have three law firms working on the file, and the original briefing schedule before the case was transferred, I think we have similar times as well.

THE COURT: All right. It's your case. You are the

Is there a way that you can move it by a week so I can try to work out the trial transcript issue, just give us a week to work out the trial transcript issue, 60 days

THE COURT: No, 60 days. That's plenty of time.

On that score, the motions by both groups of defendants for leave to file memoranda in excess of 15 pages

1 are granted. That's docket entries 176 and 181. Mr. Huon, I 09:15:45 2 will give you leave to file a consolidated response memoranda 09:15:51 3 to both motions of up to 35 pages. That's I think equal, 09:15:55 4 approximately, to the total number of pages in the two 09:16:02 5 motions, and then reply briefs will not exceed 15 pages. 09:16:04 6 MR. HUON: That's the last issue I wanted to address, 09:16:09 7 if I can have your indulgence.

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The issue with the briefing schedule, this came up with the original briefing schedule as well before it was transferred to you. Breaking Media filed an 18-page brief and then they filed a 17-page chart. I think that circumvents the

page requirements because I am responding to a 17-page chart.

Now, with respect to Gawker Media, the first couple of pages they are talking about facts and allegations that are very inflammatory that's not relevant. The Seventh Circuit has said there is no such thing as a defamation outlaw. Ιt takes one sentence to cry fire in the theater; it takes pages to explain that there is no fire. They have done that before. What happened before the case was transferred to you, I had responded to them separately. I have no problems responding to them separately, but the Court actually gave me 30 pages. I am not saying I am going to use 30 pages, but if he's got a 17-page chart plus an 18-page brief and Gawker Media has a 22-page response brief and two pages are devoted to name calling where they are moving from lawyers' advocate --

09:17:20	1	THE COURT: How many pages do you think you need?		
09:17:22	2	MR. HUON: I wanted to have the option of a 30-page		
09:17:25	3	response for each side.		
09:17:26	4	THE COURT: I will give you you can do it one of		
09:17:28	5	two ways. I will give you up to 50 pages in a combined brief		
09:17:35	6	or 30 pages individually.		
09:17:38	7	MR. HUON: Thank you, Judge.		
09:17:39	8	THE COURT: That should be more than adequate. You		
09:17:41	9	have 60 days. That should be more than adequate.		
09:17:44	10	MR. HUON: That is, Judge.		
09:17:44	11	THE COURT: In light of the expanded pages, I will		
09:17:47	12	give each of the defense groups 20 pages for reply.		
09:17:52	13	Anything else we need to address?		
09:17:54	14	MR. HUON: Do you want us to hold off on a 26(f)		
09:17:56	15	conference?		
09:17:57	16	THE COURT: Yes. We are going to get straight we		
09:18:00	17	are going to get at issue before we start talking about moving		
09:18:03	18	ahead with discovery.		
09:18:06	19	MR. MANDELL: I don't want to quibble, but our chart		
09:18:07	20	is 10 pages, and it really is just for the benefit of the		
09:18:12	21	Court because he has allegations against Breaking Media alone		
09:18:17	22	of over 50 alleged defamatory statements.		
09:18:21	23	MR. HUON: Sorry. I misspoke.		
09:18:23	24	THE COURT: That's fine. I will give you both		
09:18:26	25	sides should have ample pages to make your points, and we will		

09:18:31	1	take them under advisement. We will try to address things	
09:18:36	2	expeditiously, so if the case is able to move forward, we can	
09:18:39	3	get started on that.	
09:18:41	4	MR. MANDELL: One more thing, your Honor. I may have	
09:18:43	5	missed it, but did we set a deadline for the reply briefs?	
09:18:50	6	MR. FEIGE: I don't believe so.	
09:18:50	7	THE COURT: I don't think we set a schedule. We	
09:18:52	8	should definitely do that. How long well, we gave Mr. Huon	
09:18:55	9	60 days. How long do you need for the reply?	
09:19:01	10	MR. MANDELL: I will say subject to what Mr. Feige	
09:19:05	11	says, 21 days.	
09:19:06	12	MR. FEIGE: I was going to say 30, but I am fine I	
09:19:10	13	am okay with either.	
09:19:11	14	THE COURT: Well, to avoid coming back in, I will	
09:19:15	15	give you 28 days on the reply in light of the extended period	
09:19:18	16	for the plaintiff's response.	
09:19:21	17	MR. FEIGE: Great. That's great.	
09:19:22	18	MR. MANDELL: Thank you.	
09:19:23	19	THE COURT: Thank you all very much.	
	20	(Which were all the proceedings had in the above-entitled	
	21	cause on the day and date aforesaid.)	
	22	I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.	
	23	and the second of the second o	
	24	Carolyn R. Cox Official Court Reporter	
	25	Northern District of Illinois	

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